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**Z-2466**  
**QUICK PANTRY, LLC**  
**I3 to GB**

**STAFF REPORT**  
**September 15, 2011**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner, represented by attorney Joseph Bumbleburg, is requesting rezoning of two lots in Imperial Industrial Park Subdivision for a convenience store with gas and diesel pumps, located on the southeast corner of Brady Lane and Imperial Parkway, in the city of Lafayette, ¼ mile west of the US 52 intersection in Lafayette, Wea 3 (SE) 22-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

This lot is zoned I3 which permits heavy industrial uses. Land to the south, north and east are also zoned I3. Land to the east is zoned A, Agriculture and GB, General Business. At one time, a mobile home park was located in the A-zoned portion and its sales office and club house on the GB-zoned part. The county highway garage, northeast of the site, across Brady Lane is zoned residentially.

**AREA LAND USE PATTERNS:**

The lots are currently undeveloped. The land to the east is part of the Tate & Lyle South plant. Land to the north across Brady Lane is also undeveloped with floodplain associated with the adjacent Elliott Ditch. The uses that line Imperial Parkway are heavy industrial in nature and generate a significant amount of truck traffic that the petitioner would like to serve with this proposed gas station.

**TRAFFIC AND TRANSPORTATION:**

Brady Lane is classified as a four lane primary arterial and Imperial Parkway is classified as a local road. Brady Lane requires a 60' setback, Imperial Parkway requires 25'. If the rezone is approved the setbacks will remain the same.

Traffic counts taken along Brady Lane in 2008 show an Adjusted Daily Total of 17,352 vehicles per day.

Final access and driveway location approval will be determined by the city engineer's office.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

A type 'A' bufferyard is required along GB and I3 zoning boundaries. A sidewalk is required to be installed along Brady Lane as part of this development.

City utilities serve the site; all drainage and building plans will be approved by the City of Lafayette Engineers office.

**STAFF COMMENTS:**

Petitioner is requesting the rezoning of this site for a proposed gas station and convenience store. This use is not permitted in the industrial zones. Introducing commercial zoning in the area could set a precedent of commercial zones replacing industrial zones that would conflict with the current industrial character of this corridor as planned by the **Amendment to the Adopted Land Use Plan Regarding the Expanded Fuji-Isuzu Development Area**, passed in April 1987 by the Area Plan Commission.

According to this **Comprehensive Plan** amendment, an industrial future is shown for the subject property. To help ensure that the various land uses shown in the **Plan** function properly as guides to development, certain policies were adopted by APC and the County Commissioners. First among them recommends that:

*Requests to rezone land within the study area will be carefully measured against this land use plan amendment, with regard to both its development sectors and the goals that underlie them.*

The **Plan** shows this site within the “Industrial” land use area. Commercial expansion is shown east of Tippecanoe Mall, east of I-65 in Dayton, and south of SR 26 around the I-65 interchange with SR 26. While GB zoning is present to the east of the site, the property adjacent is owned by Tate & Lyle and no commercial development has occurred on this site since the mobile home park sales office and club house were removed in the mid 1980’s.

Staff remains opposed to any expansion of GB zoning in the industrial expansion area specified in the **Comprehensive Plan**. The commercial sectors delineated in the **Adopted Land Use Plan** continue to meet the need for additional business zoning in this part of the community. Allowing commercial spot-zoning in a planned industrial area only serves to weaken the goals of the **Comprehensive Plan** while sending mixed-signals to potential industrial developers.

**STAFF RECOMMENDATION:**

Denial